

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

REALTIME DATA, LLC D/B/A IXO,

Plaintiff,

v.

PACKETEER, INC., et al.,

Defendants.

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CIVIL ACTION No. 6:08cv144

ORDER

Before the Court is Defendants Blue Coat Systems, Inc., Packeteer, Inc., 7-Eleven, Inc., ABM Industries, Inc., ABM Janitorial Services–South Central, Inc., and Build-A-Bear Workshop, Inc. (collectively, “Blue Coat Defendants”) Emergency Motion Under L.R. CV 7(m) to Strike All New Materials From Plaintiff Realtime Data, LLC’s Final P.R. 3-1 Disclosures and Infringement Contentions to Limit Realtime Data, LLC To its Initial Contentions, and for Sanctions (“Motion”) (Doc. No. 417). Plaintiff Realtime Data LLC d/b/a IXO has filed an Opposition to Blue Coat Defendants’ Emergency Motion Under L.R. CV 7(m) to Strike All New Materials From Plaintiff Realtime Data, LLC’s Final P.R.3-1 Disclosures and Infringement Contentions to Limit Realtime Data, LLC to its Initial Contentions, and for Sanctions (Doc. No. 421), as well as a Sur-Reply to Blue Coat Defendants’ Motion Under L.R. CV 7(m) to Strike all New Materials from Plaintiff Realtime Data, LLC’s Final PR 3-1 Disclosures and Infringement Contentions (Doc. No. 433). The Blue Coat Defendants have also filed a Reply to Realtime’s Opposition to Motion Under L.R. CV 7(m) to Strike all New Materials from Plaintiff Realtime Data, LLC’s Final P.R. 3-1 Disclosures and Infringement Contentions, and for Sanctions (Doc. No. 431).

The Court previously ruled on portions of the Motion, while reserving ruling with regard to section III. (Doc. No. 427). Having considered the parties' arguments as to section III of the Motion, the Court hereby **DENIES** the Blue Coat Defendants' Motion.

So ORDERED and SIGNED this 27th day of July, 2009.



JOHN D. LOVE
UNITED STATES MAGISTRATE JUDGE